

COMMITTEE ON FINANCE
(Standing Committee of Berkeley County Council)

Chairman: Mr. Jack H. Schurlknight, Council Member District No. 6

A **meeting** of the **Committee on Finance**, Standing Committee of Berkeley County Council, was held on Monday, **June 28, 2010**, in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at 6:05 p.m.

PRESENT: Chairman Jack H. Schurlknight, Council District No. 6; Committee Member Phillip Farley, Council District No. 1; Committee Member Timothy J. Callanan, Council District No. 2; Committee Member Robert O. Call, Jr., Council District No. 3; Committee Member Cathy S. Davis, Council District No. 4; Committee Member Dennis L. Fish, Council District No. 5; Committee Member Caldwell Pinckney, Jr., Council District No. 7; Committee Member Steve C. Davis, Council District No. 8; County Supervisor Daniel W. Davis, ex officio; Ms. Nicole Scott Ewing, County Attorney; Mr. Joshau A. Gruber, Assistant County Attorney; and Ms. Barbara B. Austin, Clerk of County Council.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Schurlknight called the meeting to order. Committee Member Pinckney gave the Invocation, and Committee Member Steve Davis led in the Pledge of Allegiance to the Flag of the United States of America.

APPROVAL OF MINUTES

Chairman Schurlknight asked for approval of minutes from meetings of the Committee on Finance held May 11, 2010, May 17, 2010 and May 24, 2010.

It was moved by Committee Member Callanan and seconded by Committee Member Steve Davis to **approve** the **minutes** as presented. The motion as amended passed by unanimous voice vote of the Committee.

A. Consideration of a **proclamation proclaiming September 4, 2010 as Berkeley Training High School Day.**

It was moved by Committee Member Callanan and seconded by Committee Member Steve Davis to **approve** consideration of the **proclamation** proclaiming September 4, 2010 as Berkeley Training High School Day.

Chairman Schurlknight: "Is there a Mr. Schnieder here tonight or anyone representing this reunion? Ok, at this time, I'd like to ask Council Member Steve Davis if he would read that proclamation into the record, please?"

Committee Member Steve Davis read the proclamation into the record, as follows:

"Berkeley County, South Carolina
Proclamation
Proclaiming September 4th, 2010 as Berkeley Training High School Day

Whereas, the Dixie/Berkeley Training School began in early 1880 with its first classes being taught in one of the local churches for a term of three months; and

Whereas, the school developed and grew over the years and helped to produce a cadre of citizens who went on to become civic and business leaders, area role models and fundamental contributors to the Berkeley County Community; and

Whereas, this school had helped to greatly contribute to the welfare and quality of life for all citizens in this area, this County, this Country, and our society, prior to its integration with Berkeley High School in 1970; and

Whereas, the Berkeley Training High School plans to hold a grand school reunion for all of its former students and staff on September 4, 2010.

Now, therefore, be it proclaimed by the Berkeley County Council, by and through its Chairman, Daniel W. Davis, that September 4, 2010, is hereby proclaimed as Berkeley Training High School Day in recognition of the school's immense contributions to the Berkeley County Community and the many successes of the former students of this great educational institution.

Done this 28th day of June, 2010."

The motion passed by unanimous voice vote of the Committee.

B. Consideration of a resolution authorizing continuing appropriations for Fiscal Year 2010-2011.

It was moved by Committee Member Callanan and seconded by Committee Member Steve Davis to **approve** consideration of the **resolution** authorizing continuing appropriations for Fiscal Year 2010-2011.

Chairman Schurlknight: "We have a motion and a second; is there any discussion?"

Committee Member Callanan: "Yeah; I have a question."

Chairman Schurlknight: "Mr. Callanan."

Committee Member Callanan: "Have we scheduled a workshop on this yet?"

Chairman Schurlknight: "No, we hadn't. What I'm waiting on is something in writing showing us what the suggestions are, and after we've received that, we'll schedule the workshop."

Committee Member Callanan: "Can I ask another question?"

Chairman Schurlknight: "Sure."

Committee Member Callanan: "If we provide something in writing – that takes an enormous amount of time. Is it going to see the light of day? I mean – and it's not – I just want to be reasonable here..."

Chairman Schurlknight: "Right; right; exactly."

Committee Member Callanan: "...it's going to take an enormous amount of time for..."

Chairman Schurlknight: "The last..."

Committee Member Callanan: "...because we don't have a staff."

Chairman Schurlknight: "Ok; the a – which – backing up, you know, we discussed this, probably, six, four to six weeks ago about submitting this, so, I'm trying to be fair to everybody and staff to look over this stuff. Mr. Fish, I think he mentioned it would take about a week to get it together. And, that's what I was hoping that we would at least get it tonight. But, what I want is something that we can go back and give to staff, so they can look at what y'all are recommending and how it's going to affect different departments. And, also give Council Members time to look at it also, prior to us going into the workshops – we'll have a general idea of what we're talking about."

Committee Member Callanan: "So, is it going to be given a fair shake, or..."

Chairman Schurlknight: "I would think it would be given a fair shake, but the thing that's holding it up now, in my opinion, is getting us something in writing to look at and give them, you know, three or four days, a week, and then go ahead and schedule the workshop, and do it prior to the end of July."

Committee Member Callanan: "Ok."

Committee Member Fish: "Mr. Chairman?"

Chairman Schurlknight: "Mr. Fish."

Committee Member Fish: "My comment on that – if I could get an up-to-date copy of the year-to-date calculations, where we are even through June as you have them. I've spent a lot of time on that – like with Mr. Callanan's – I kind of stop in a way, because I get a feeling is all this work may be for not if ya'll are going to override it for five to four like you normally do, and I don't want to waste the time if I think that's what's going to happen. And, that's kind of the feeling that I've got."

Chairman Schurlknight: "I hate that you have that feeling, but we'll get you any kind of information you want. Kace, we can handle that, can't we, and we can get that information?"

Ms. Kace Smith, Finance Director: "Yes, Sir. I'll send that to you tomorrow, Mr. Fish. Does any other Member of County Council want a copy of that?"

Committee Member Callanan: "Yes."

Committee Member Cathy Davis: "Yes."

Ms. Smith: "Ok; and how much detail do you want it. If I run it in detail, it could be 300 pages, which I will be happy to send it to each of you."

Committee Member Fish: "No; Ma'am. What I'm looking for, basically, like in the prior years, I break it out between personnel costs, and I take a look at, what I call, operating costs/general operating costs, and I take a look at that. I'm not nitpicking between postage and dues and subscriptions. I want the totals, but I also want that for the elected officials as well."

Ms. Smith: "Yes, Sir; so, you want it by major expenditure category by department?"

Committee Member Fish: "Absolutely; yeah, by department, please."

Ms. Smith: "Ok; do you want prior year information along with that?"

Committee Member Fish: "No; I already got prior year."

Committee Member Steve Davis: "Mr. Chairman?"

Chairman Schurlknight: "Mr. Davis."

Committee Member Steve Davis: "Now, you see, that's where I kind of draw the line a little bit when we've entered into a contract with these elected officials, and they have been playing by the rules, playing by the contract that we outlined, and now, Mr. Fish, you want to create a situation where it will go back and cause them numerous time

and effort of their personnel in reference to a breakdown of their budgets, which they have, to some extent, provided according to our rules and our contract that we outlined. And so, I think, that's a futile attempt to really involve ourselves in something that we have contractually made a decision with the elected officials. And, to go back on our contractual representation to them, I think, is a foul. I have no issue in reference to your first portion, but, I think, when you start going over into the elected official breakdown, I think, we're starting to violate the terms and the gist of what we represented to the elected officials when we created this scenario that we currently exist under."

Chairman Schurlknight: "Thank you, Mr. Davis."

Committee Member Fish: "Mr. Chairman, can I respond to that?"

Chairman Schurlknight: "Yes, Mr. Fish."

Committee Member Fish: "Mr. Davis, one of the things I'm looking at is that, you know, I've been a strong proponent, always have been, of zero-based budgeting. And, when we went to the – over three years ago – to the last five years of average – what's happening – we've got three or four departments that have done a really good job on expending their money. They haven't been spending money crazy or whatever, and cut to the bone, because they have been honest in prior years. And, we are penalizing for that. We've got three or four departments – every year, we have almost \$1,000,000 in surplus. I think that needs to be reallocated, and I'm trying to attempt to do a little bit of zero-based budgeting within that plan to bring it back into more reality. So, I think you're right. There's some departments, I think, we have hurt unnecessarily by that five-year, because they have been honest in spending money wisely for the County. We've got some other departments who, basically, who, maybe, have not done that. So, I'm gonna try and level both of those out."

Committee Member Steve Davis: "Mr. Chairman?"

Chairman Schurlknight: "Mr. Davis."

Committee Member Steve Davis: "What bothers me a little bit, Mr. Fish, specifically, you were, at one time, Chairman of Finance. And, when you were Chairman of Finance, you didn't do it. Now, with Jack being Chairman of Finance, you want to engage further with these elected officials. And, I just think, in relationship to equal protection of what treating all of them similarly situated, you just don't need to be at broad base in specifics. So, now you want to say let's target certain elected officials' contract."

Committee Member Callanan: "Mr. Chairman?"

Chairman Schurlknight: "Mr. Callanan."

Committee Member Callanan: “Yeah; I think the issue here has to be when the state began cutting our aid to local subdivisions, I would imagine that the Supervisor did not go to each department and say, ‘hey’ – each department under his control and say, ‘you’re each getting cut equally’. Now, we looked at each department and determined which one we could cut and which ones would not be effective to cut – some were probably cut a little bit more than others. That isn’t the case with the elected officials. And, with your argument on the contract – the contract is on an annual basis. And, I think it’s about time we simply looked at these contracts to determine whether or not that we can rebalance the amount of money going to each elected official. Like Mr. Fish said, some elected officials are simply being punished, because, you know, they were a little more efficient in the previous years than others. I just think that it’s a case that we can look at it in this very difficult budget time – that it’s something worthwhile looking at, and not even giving him the opportunity to look at it, I think, is – it would be a grave error on our part.”

Committee Member Steve Davis: “Mr. Callanan, one point is – we didn’t do it in that spirit when we formulated the contract. I’m not saying we cannot revisit it. And, I think that the elected officials – you know, I’m not advocating their position. It’s just that in the spirit of when we created these contract with these elected officials in reference to their budget, we went through this aspect that there were going to be circumstances where we knew that they may generate some surpluses, ok? We knew this going in, but yet we still voted for this contractual obligation. Now, if we’re gonna talk about we’re gonna revisit all the contracts, and look at everything fresh and in a new, well, let’s do that, but let’s not create a situation where we’re engaging and nit-picking in reference to operating, versus their expenses that they gotta – I’m just leary of all this congestion in reference to the elected officials contract at this time. And, I don’t think we have the sufficient time. Maybe, if you want to do this in the next budget cycle, I think, it would be great.”

Chairman Schurlknight: “Any other discussion?”

There was no further discussion.

The motion passed by unanimous voice vote of the Committee.

C. Consideration of a **resolution** authorizing the County Supervisor to negotiate and execute a **lease agreement** with **Parkway Investments, LLC**, for property located at 102 Sangaree Park Court, Suite 1, Summerville 29483.

It was moved by Committee Member Cathy Davis and seconded by Committee Member Steve Davis to **approve** consideration of a **resolution** authorizing the County Supervisor to negotiate and execute a lease agreement with Parkway Investments, LLC, for property located at 102 Sangaree Park Court, Suite 1, in Summerville. The motion passed by unanimous voice vote of the Committee.

D. Review prior to Third Reading of the following:

1. **Bill No. 10-14**, an **ordinance** to amend Ordinance No. 09-07-36, adopted July 27, 2009, to provide for **Supplemental Appropriations** and allocations thereof within the **2009-2010 Budget for Berkeley County**; and other matters relating thereto.

Chairman Schurlknight: "I think, in our packet, we have a copy of the appropriations and the adjustment on that. Do we have any questions on that?"

It was moved by Committee Member Steve Davis and seconded by Committee Member Pinckney to **approve** review, prior to **Third Reading**, of **Bill No. 10-14**. The motion passed by unanimous voice vote of the Committee.

2. **Bill No. 10-15**, an **ordinance** providing for the **fiscal year** beginning July 1, 2010 and ending June 30, 2011 for the **Devon Forest Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Devon Forest Special Tax District during the fiscal year.

It was moved by Committee Member Fish and seconded by Committee Member Pinckney to **approve** review, prior to **Third Reading**, of **Bill No. 10-15**. The motion passed by unanimous voice vote of the Committee.

3. **Bill No. 10-16**, an **ordinance** providing for the **fiscal year** beginning July 1, 2010 and ending June 30, 2011 for the **Pimlico Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Pimlico Special Tax District during the fiscal year.

It was moved by Committee Member Callanan and seconded by Committee Member Farley to **approve** review, prior to **Third Reading**, of **Bill No. 10-16**. The motion passed by unanimous voice vote of the Committee.

4. **Bill No. 10-17**, an **ordinance** providing for the **fiscal year** beginning July 1, 2010 and ending June 30, 2011 for the **Sangaree Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Sangaree Special Tax District during the fiscal year.

It was moved by Committee Member Cathy Davis and seconded by Committee Member Farley to **approve** review, prior to **Third Reading**, of **Bill No. 10-17**. The motion passed by unanimous voice vote of the Committee.

5. **Bill No. 10-18**, an **ordinance** providing for the **fiscal year** beginning July 1, 2010 and ending June 30, 2011 for the **Tall Pines Special Tax District** operational budget; and to provide for the expenditures of the revenues received by the Tall Pines Special Tax District during the fiscal year.

Committee Member Fish: "Mr. Chairman?"

Chairman Schurlknight: “Yes, Mr. Fish.”

Committee Member Fish: “I’d like to – we found a few things on that budget. I would like to, without objection, propose a continuing resolution until next month to resolve those issues on Tall Pines?”

Chairman Schurlknight: “Ok; that’s not a problem. We’ll hold that until next month.”

Committee Member Fish: “I would like to have a continuing resolution, so they can continue to spend the money, but the approval I’d like to hold until next month.”

Chairman Schurlknight: “Ok.”

Committee Member Fish read the resolution into the record, as follows: “A **resolution** authorizing the **continuance** of the **Tall Pines Special Tax District Budget** until such time as the 2010-2011 Budget can be finalized.”

It was moved by Committee Member Callanan and seconded by Committee Member Pinckney to **approve** the **resolution** authorizing the continuance of the Tall Pines Special Tax District Budget until Tall Pine’s 2010-2011 budget could be finalized. The motion passed by unanimous voice vote of the Committee.

6. Bill No. 10-19, an **ordinance** providing for the **fiscal year** beginning July 1, 2010 and ending June 30, 2011 for the operational budget of the **Berkeley County Special Fire Tax District** within the unincorporated portions of Berkeley County; and to provide for the expenditures of the revenues received by the Special Fire Tax District during the fiscal year.

It was moved by Committee Member Pinckney and seconded by Committee Member Fish to **approve** review, prior to **Third Reading**, of **Bill No. 10-19**. The motion passed by unanimous voice vote of the Committee.

It was moved by Committee Member Callanan and seconded by Committee Member Fish to **adjourn** the meeting of the Committee on Finance. The motion passed by unanimous voice vote of the Committee.

Meeting adjourned at 6:22 p.m.

July 26, 2010
Date Approved